



IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

ALBERT DONOVAN PEARSON,	)	Civil Action No. 7:06cv00045
Petitioner,	)	
	)	
	)	<u>FINAL ORDER</u>
v.	)	
	)	
UNITED STATES OF AMERICA,	)	By: Samuel G. Wilson
Respondent.	)	United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that the above referenced motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255, is **DISMISSED** without prejudice. This matter is **STRICKEN** from the active docket of the court.

Albert Donovan Pearson is advised he may appeal this decision pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure by filing a notice of appeal with this court within 60 days of the entry of this order, or within such extended period as the court may grant pursuant to Rule 4(a)(5).

The Clerk is directed to send certified copies of this Order and the accompanying Memorandum Opinion to all parties.

ENTER: This 27<sup>th</sup> day of January, 2006.

  
UNITED STATES DISTRICT JUDGE